

**PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF FEBRUARY 17, 2004.**

**ATTENDANCE**

**COUNCIL:** Randy Menard – Chair (District 9), Rob Stevenson – Vice Chair (District 8), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7)

**ABSENT:** None

**COUNCIL STAFF:** Norma Dugas (Clerk of the Council), and Anne Patin (Senior Administrative Assistant)

**ADMINISTRATIVE STAFF:** L. J. Durel, Jr. (City-Parish President), Dee Stanley (CAO), Becky LaLumia (Associate CAO/Finance Management), Gail Smith (Director of Administrative Services), Interim Chief Randy Hundley (Police Department), Chief Robert Benoit (Fire Department), Eleanor Lilly (Interim Director of Planning, Zoning and Codes), Gerald Boudreaux (Director of Parks & Recreation), Terry Huval (Utilities Director), Melanie Lewis (Director of Community Development), Tom Carroll (Interim Public Works Director), Pat Ottinger (Legal Counsel), Tony Tramel (Director of Transportation)

**COMMENCEMENT**

(TAPE 1)(SIDE B)(000) AGENDA ITEM NO. 1: Call to order.

Councilmember Randy Menard called the Regular Council Meeting of February 17, 2004 to order.

(TAPE 1)(SIDE B)(002) AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Marc Mouton was called upon to deliver the invocation and lead the Pledge of Allegiance.

(TAPE 1)(SIDE B)(024) AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT’S REPORT**

President Durel recognized Randy Hundley, Interim Police Chief beginning March 1, 2004.

CAO Dee Stanley reported that the sales tax dollection for the first quarter of 2003/2004 was down by \$400,000; however, the month of December showed an increase.

(TAPE 1)(SIDE B)(043) AGENDA ITEM NO. 4: **CEREMONIAL PRESENTATIONS**

a. **Recognition**

Councilmember Marc Mouton recognized the winners of the 2004 Lafayette Education Foundation Teacher Awards. Each winner was given a Certificate of Appreciation. Recognized were:

Alice Burkehalter, Judice Middle School  
Cheryl Broussard, Prairie Elementary School  
Tracy Carrier Henry, Carencro Catholic School  
Jan Cranfield, Live Oak Elementary School  
Jeanine Neck, Lafayette High School  
Sherry Roanie, Westminster Christian Academy  
Deanna Thibodeaux, Acadian Middle School  
Carlene Doucet, Director, Lafayette Parish Special Education/Alternative Site  
Jackie Tolliver, Charles Burke Elementary School

b. **Proclamation**

Councilmember Louis C. Benjamin, Jr., presented a proclamation to members of the Immaculate Heart of Mary Catholic Church on their 70<sup>th</sup> Anniversary. Lynn Guy, Parish Council President; Lionel Lewis, Trustee; and Floyd Delahoussaye, Trustee, accepted the

proclamation.

(TAPE 1)(SIDE B)(224) AGENDA ITEM NO. 5: COUNCIL ANNOUNCEMENTS

- a. Councilmember Dale Bourgeois recognized the Northside High School wrestling team, which won the State Championship this past weekend. Recognized were Coach Simmons and Assistant Coach Todd Guidry, along with the members of the wrestling team.
- b. Tony Tramel, Director of Traffic & Transportation, gave a report, with numerical statistics, for the mid-point of the current two-year grant for Night Owl Service. A statistical report was presented to the Council providing one year's of operation dealing with the job assess reverse commute grant. Expenditures, at this point, are on line. The grant is scheduled to expire at the end of October and it is very unlikely the grant will be extended next year.

At this point, Councilmember Benjamin recognized Walter Guillory, Director of Lafayette Housing Authority.

**RESOLUTIONS**

(TAPE 1)(SIDE B)(460) AGENDA ITEM NO. 6: R-010-2004 A resolution of the Lafayette City-Parish Council authorizing the filing of an application with the Federal Transit Administration for operating and capital assistance through the Federal Transit Administration Formula Grant Program for Federal Fiscal Year 2004 for use within the Department of Traffic and Transportation, Transit Division, motion to adopt by Mouton, seconded by Stevenson, and the vote was as follows:

YEAS: Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: Badeaux, Bourgeois

ABSENT: None

RECUSED: None

*Motion was approved.*

Tramel informed the Council that the grant announcement is expected in the next 30 days. Once LCG is awarded the grant, a request will go before the Council to allocate the matching funds.

**ORDINANCES FOR FINAL ADOPTION**

(TAPE 1)(SIDE B)(519) AGENDA ITEM NO. 7: O-020-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government to allocate interest revenues and adjust reserves of the Parish General Obligation Bonds, motion to adopt by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

Lalumia explained this revision is to recognize some interest revenues and allocate the reserves in the way LCG is legally required to disburse the interest revenue. It also recognizes and puts into the budget appropriations the first year of the capital program for the Parish General Obligation Bonds. The 2001 General Obligation Bonds and the 2003 General Obligation Bonds are affected. The interest revenues are being allocated, such as the interest revenue just allocated for the Courthouse repairs.

(TAPE 1)(SIDE B)(572) AGENDA ITEM NO. 8: O-021-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$4,660 from Reserve-Project Contingencies to Ambassador Caffery @ Ridge Road Project within the Department of Public Works for additional funding needed to facilitate closing Fund 416, motion to adopt by Broussard, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None  
RECUSED: None

*Motion was unanimously approved.*

(TAPE 1)(SIDE B)(590) AGENDA ITEM NO. 9: O-022-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$98,160 from Martial Avenue Turn Lanes Project to Reserve – Streets, motion to adopt by Bourgeois, seconded by Badeaux, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

Upon questioning by Menard, Logan explained that additional roadway surface was placed there.

(TAPE 1)(SIDE B)(614) AGENDA ITEM NO. 10: O-023-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the transfer of funds within the Community Development Department from Contingencies - Reserve Accounts to various sub-recipients, motion to adopt by Williams, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

Benjamin suggested that a joint venture between LCG Community Development and the Housing Authority be looked at as it relates to affordable housing. Williams commended Community Development for the new development of 32 new homes in District 3.

Broussard explained that the \$400,000 for this development was originally the funds that would have been used to move the Community Development Department to the old Federal Courthouse. The previous Council said no to the move. These funds could have been used for roads; however, time did not allow this and the funds were moved for housing. He stated that this is a one-time allocation and suggested that consideration should be given to roads in the upcoming budget.

Stanley explained that it was the Administration's decision to send this ordinance to the Council; however, he does share the same concerns as Broussard. He reiterated that there was a time limit on the funds and would have been subjected to Federal recapture by HUD.

**The following individual was recognized:**

Nathan Thorton commended the Department of Community Development and the Council for dealing with a difficult situation.

(TAPE 2)(SIDE A)(144) AGENDA ITEM NO. 11: O-024-2004 An ordinance of the Lafayette City-Parish Council authorizing the expropriation of assets and customers of Entergy in areas annexed or to be annexed by the City of Lafayette, motion to adopt by Stevenson, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

(TAPE 2)(SIDE A)(153) AGENDA ITEM NO. 12: O-025-2004 An ordinance of the Lafayette City-Parish Council authorizing the expropriation of the below referenced and described electrical distribution system, assets and/or facilities, and customers of Entergy, motion to adopt by Stevenson, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson,

Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

(TAPE 2)(SIDE A)(161) AGENDA ITEM NO. 13: O-026-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government to appropriate additional funds for Langlinais Road drainage project, motion to adopt by Mouton, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

(TAPE 2)(SIDE A)(174) AGENDA ITEM NO. 14: O-027-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of a utility easement on Lots 2, 3, 4 and 5 of Garden Heights Subdivision, having a municipal address of 836 Chemin Metairie, motion to adopt by Benjamin, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

**The following individual was recognized:**

Steve Elledge passed.

(TAPE 2)(SIDE A)(185) AGENDA ITEM NO. 15: O-029-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish Consolidated Government and the Lafayette Utilities System to operate and maintain the sewer systems in the area generally known as Driftwood Subdivision, and to authorize all contracts necessary, incidental, convenient, or desirable to accomplish those purposes, motion to adopt by Stevenson, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was unanimously approved.*

**INTRODUCTORY ORDINANCES**

(TAPE 2)(SIDE A)(197) AGENDA ITEM NO. 16 - 27: A motion was offered by Mouton, seconded by Stevenson, to approve the introduction of the following ordinances, with an amendment to Item 27, O-041-2004 (amendment being *to change Lafayette City-Parish Council Chairman to Lafayette Public Utilities Authority Chairman*), in-globo, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams, Benjamin

RECUSED: None

*Motion was unanimously approved.*

16. O-030-2004 A Supplemental Ordinance supplementing Ordinance No. 261-2003 providing for the issuance of Twenty-Nine Million Six Hundred Seventy-Five Thousand Dollars (\$29,675,000) principal amount of Public Improvement Sales Tax Refunding Bonds, Series 2004, of the City of Lafayette, State of Louisiana (the "Issuer").

17. O-031-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government transferring

\$19,000 from the Lafayette City-Parish Consolidated Government Council's CIP Reserve to the "Speed Monitor Trailer-2" Capital Account for the purpose of controlling speeding problems without tying up a police officer's time.

18. O-032-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government transferring \$12,000.00 from the Lafayette City-Parish Consolidated Government Council's CIP Reserve to the "Tasers-Supplies & Equipment" Capital Account for the purpose of aiding Officers with the use of non lethal weapon that can stop an aggressive, focused attacker and place within the Patrol Division (320) of the Police Department.
19. O-033-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget authorizing the increase of revenues in the amount of \$5,072.00 received from the Louisiana Commission on Law Enforcement and Administration of Criminal Justice for the FY 03/04 State Dare Grant amendment and appropriating the same within the Lafayette City-Parish Consolidated Government Police Department and reducing duplicate salary appropriations in the Lafayette City-Parish Consolidated Government General Fund. The Dare Grant period is from 07/01/2003 to 05/31/2004.
20. O-034-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$100,000 from Reserve - Streets to Johnston/S College Turn Lanes Project within the Department of Public Works for additional funding needed.
21. O-035-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government to reflect the receipt of an Art Grant from the Acadiana Arts Council and the Louisiana Division of the Arts and to appropriate the grant and matching funds within the Public Works Department Environmental Quality Division.
22. O-036-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the adjustment of the manning tables and corresponding budgetary accounts within the Department of Utilities Power Production and Electric System Construction Divisions.
23. O-037-2004 An ordinance of the Lafayette City-Parish Council rescinding Lafayette City Council Ordinance 0-6175 as amended by Lafayette City-Parish Council Ordinance 0-130-96, and all amendments thereto, in its entirety and rescinding the Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 94 "Utilities", Article VI "Sewers and Sewage Disposal" in its entirety; replacing with new Lafayette City-Parish Council Ordinance No. O-037-2004 and new Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 94 "Utilities", Article VI "Sewers and Sewage Disposal" providing for the regulation of Sewers and Sewage Disposal within the jurisdiction of the Lafayette City-Parish Consolidated Government; and repealing all ordinances in conflict herewith.
24. O-038-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Capital budget of the Lafayette City-Parish Consolidated Government to amend the Five-Year Capital Outlay Program for the Utilities System so as to provide for New Combustion Turbine Generation.
25. O-039-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to execute an Act of Credit Sale and Act of Subordination whereby the Lafayette City-Parish Consolidated Government will sell certain real estate located at 314 Poydras Street, Lafayette, Louisiana to Elizabeth Violet Morrison and to authorize Melanie Lewis, Director of the Department of Community Development, Housing Division, to sign a purchase agreement, a loan agreement, and any other associated documents with reference to this sale transaction.
26. O-040-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of portions of the Drainage Easement on Lot 40 in Phase I of Magnolia Farms Subdivision, having a municipal address of 113 Red Barn Drive.
27. O-041-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President and the Lafayette Public Utilities Authority Chairman to enter into

an intergovernmental agreement with the City of Carencro to assist in the transfer of Carencro's Wastewater Biosolids.

(TAPE 2)(SIDE A)(300) AGENDA ITEM NO. 28: Comments from the public concerning the above Introductory Ordinances.

No Comments.

**ADJOURN**

(TAPE 21)(SIDE A)(301) There being no further business to come before the Council, Chair Menard declared the Regular Council Meeting adjourned.

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NORMA A. DUGAS, CLERK  
LAFAYETTE CITY-PARISH COUNCIL